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11 Joseph Teixeira

12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA

14 CITY OF INGLEWOOD, a public entity, ) Case No. **2:15-cv-01815-MWF-MRW**  
15 Plaintiff, )  
16 vs. ) Assigned to the Hon. Michael Fitzgerald  
17 JOSEPH TEIXEIRA and Does 1-10, ) **DECLARATION OF DAN LAIDMAN**  
18 Defendants. ) **IN SUPPORT OF DEFENDANT'S**  
19 ) **MOTION TO DISMISS (F.R.C.P.**  
20 ) **12(b)(6)) AND MOTION TO STRIKE**  
21 ) **(F.R.C.P. 12(f))**  
22 ) Hearing Date: June 22, 2015  
23 ) Time: 10:00 a.m.  
24 ) Courtroom: 1600  
25 ) [Notice of Motion and Motion to Dismiss  
26 ) (Rule 12(b)(6)); Notice of Motion and  
27 ) Motion to Strike (Rule 12(f)); Request  
28 ) For Judicial Notice; Declaration Of  
Joseph Teixeira with Ex. B; Notice Of  
Lodging Of DVD with Exs. A, C-F;  
Notice Of Manual Filing; and [Proposed]  
Orders Filed Concurrently]  
Action Filed: March 12, 2015

**DECLARATION OF DAN LAIDMAN**

I, Dan Laidman, declare and state as follows:

1. I am an attorney admitted to practice before all the courts of the State of California and before this Court. I am an associate in the law firm of Davis Wright Tremaine LLP ("DWT"), and I am one of the attorneys representing defendant Joseph Teixeira in this matter. The matters stated below are true of my own personal knowledge except those matters stated on information and belief, which I believe to be true.

2. Attached as **Exhibit F** to the concurrently submitted Notice of Lodging is a DVD containing a true and correct copy of the City of Inglewood's official recording of the April 23, 2013 Inglewood City Council meeting, which is available on the City of Inglewood's YouTube page at <https://www.youtube.com/watch?v=-6vbUALiaD0&index=26&list=PLlItnpUWhquixNtbE5Q-j0hhmuP-9ovrt>. A staff member at my law firm downloaded the video from this YouTube page and created the attached DVD at my direction.

3. Prior to the initiation of this action, on February 20, 2015, I sent a letter to Inglewood City Attorney Kenneth R. Campos and the City's outside counsel in this matter, JoAnna M. Esty. The letter presented detailed legal arguments for why the City's threatened copyright claim against Mr. Teixeira lacked merit. I advised that if the City chose to proceed with litigation and Mr. Teixeira prevailed, he would seek recovery of his attorneys' fees and costs pursuant to 17 U.S.C. § 505. I did not receive any response to this letter.

4. On April 9, 2015, I participated in a telephonic conference with Ms. Esty, pursuant to Local Rule 7-3. During the conversation, I informed Ms. Esty that Mr. Teixeira anticipated filing the following motions in response to the City's Complaint: a Motion to Dismiss (FRCP 12(b)(6)), and a Motion to Strike (FRCP 12(f)). I explained that the anticipated Motion to Dismiss would track the arguments set forth in detail in my February 20, 2015 letter, and I also provided the basis for the

1 anticipated Motion to Strike. Ms. Esty and I discussed the substance of these two  
2 anticipated motions, but we were not able to resolve the parties' disagreements.  
3 Based on this conversation, it is my understanding that the City will oppose Mr.  
4 Teixeira's motions.

5 I declare under penalty of perjury under the laws of the United States of  
6 America that the foregoing is true and correct, and that this declaration was executed  
7 this 16th day of April 2015, at Los Angeles, California.

8  
9 /s/ Dan Laidman

Dan Laidman

**MANUALLY LODGED, NOTICE OF LODGING  
EXHIBIT F**

